Mr. Cole

CONSTITUTION AND BYLAWS FOR THE FLANDREAU SANTEE SIOUX TRIBE SOUTH DAKOTA

APPROVED APRIL 24, 1936

Superseded

UNITED STATES
DEPARTMENT OF THE INTERIOR
OFFICE OF INDIAN AFFAIRS

✦

CONSTITUTION AND BYLAWS FOR THE FLANDREAU SANTEE SIOUX TRIBE SOUTH DAKOTA

✦

APPROVED APRIL 24, 1936

UNITED STATES
GOVERNMENT PRINTING OFFICE
WASHINGTON : 1936

CONSTITUTION AND BYLAWS FOR THE FLANDREAU SANTEE SIOUX TRIBE OF SOUTH DAKOTA

PREAMBLE

We, the people of the Flandreau Santee Sioux Tribe, in order to exercise the right of local self-government, promote the general welfare, acquire and develop lands, to have the right to form business and other organizations, and to rehabilitate the local Indians and assist them to become self-supporting, do establish this constitution and bylaws.

ARTICLE I.—TERRITORY

The jurisdiction of the Flandreau Santee Sioux Tribe of Indians shall extend to such territory as may be now held or hereafter acquired by or for the Flandreau Santee Sioux Tribe under any law of the United States, except as otherwise provided by law.

ARTICLE II.—MEMBERSHIP

SECTION 1. The membership of the Flandreau Santee Sioux Tribe of Indians shall consist of:

(*a*) All persons of Indian blood whose names appear on the official census roll of the tribe as of April 1, 1935, provided that within 1 year from adoption and approval of this constitution and bylaws, correction may be made in the said roll by the general business council subject to approval of the Secretary of the Interior.

(*b*) All children born to any member of the Flandreau Santee Sioux Tribe who is a resident of any territory of the tribe or of Moody County in South Dakota at the time of the birth of said children.

SEC. 2. The general business council shall have the power to promulgate ordinances subject to review by the Secretary of the Interior covering future membership and the adoption of new members.

ARTICLE III.—GOVERNING BODY

SECTION 1. The governing body of the Flandreau Santee Sioux Tribe of Indians shall be the general business council which shall be composed of all the qualified voters of the Flandreau Santee Sioux Tribe.

SEC. 2. All enrolled members of the Flandreau Santee Sioux Tribe who are 21 years of age or over shall be qualified voters at each election.

SEC. 3. The general business council shall elect from its own members by secret ballot, (*a*) a president, (*b*) a vice president, (*c*) a secretary, (*d*) a treasurer, and (*e*) two trustees who shall serve on the executive committee as provided in section 5 of this article.

SEC. 4. The general business council shall meet on the first Monday of January and July. Within 30 days after the ratification and approval of this constitution and bylaws, a general business council shall be called by the present business council for the purpose of electing the officers named herein, and it shall transact such other business as may be necessary. The officers elected at this meeting shall serve until the July meeting at which time their successors shall be chosen. Thereafter, officials shall be chosen at the July meeting. The president or 25 percent of the qualified voters may by written notice call special meetings of the general business council.

One-third of the qualified voters of the tribe shall constitute a quorum at any special or regular meeting.

SEC. 5. There shall be an executive committee consisting of the president, vice president, secretary, and treasurer of the general business council, and the two trustees named in section 3 of article III, which shall perform such duties as may be authorized by that council.

SEC. 6. The executive committee shall appoint such other boards or officers as may be deemed necessary.

ARTICLE IV. POWERS OF THE GENERAL BUSINESS COUNCIL

SECTION 1. *Enumerated powers.*—The general business council of the Flandreau Santee Sioux Tribe shall exercise the following powers, subject to any limitations imposed by the Statutes or the Constitution of the United States:

(*a*) To negotiate with the Federal, State, and local Government.

(*b*) To employ legal counsel, the choice of counsel and fixing of fees to be subject to the approval of the Secretary of the Interior.

(*c*) To veto any sale, disposition, lease, or encumbrance of tribal lands, interests in lands, or other tribal assets of the tribe.

(*d*) To advise the Secretary of the Interior with regard to all appropriation estimates or Federal projects for the benefit of the Flandreau Santee Sioux Tribe prior to the submission of such estimates to the Bureau of the Budget and to Congress.

(*e*) To manage all economic affairs and enterprises of the Flandreau Santee Sioux Tribe in accordance with the terms of a charter that may be issued to the tribe by the Secretary of the Interior.

(*f*) To promulgate and enforce ordinances, which shall be subject to review by the Secretary of the Interior, governing the conduct of members of the Flandreau Santee Sioux Tribe on the reservation, providing for the manner of making, holding, and revoking assignments of tribal land or interests therein, providing for the levying of taxes, and the appropriation of available funds for public purposes, providing for the licensing of nonmembers coming upon the territory of the tribe for purposes of hunting, trading, or other business, and for the exclusion from the territory of the tribe of persons not so licensed, and establishing proper agencies for law enforcement among the members of the Flandreau Santee Sioux Tribe.

(*g*) To charter subordinate organizations for economic purposes and to delegate to such organizations, or to any subordinate boards or officials of the tribe, any of the foregoing powers, reserving the right to review any action taken by virtue of such delegated powers.

(*h*) To adopt resolutions not inconsistent with this constitution and the attached bylaws, regulating the procedure of the council itself and of other tribal agencies, tribal officials, or tribal organizations of the Flandreau Santee Sioux Tribe.

SEC. 2. *Future powers.*—The general business council may exercise such further powers as may in the future be delegated to the council by members of the tribe or by the Secretary of the Interior or any other duly authorized official or agency of the State or Federal Government.

SEC. 3. *Reserved powers.*—Any rights and powers heretofore vested in the Flandreau Santee Sioux Tribe but not expressly referred to in this constitution shall not be abridged by this article, but may be exercised by the people of the Flandreau Santee Sioux Tribe through the adoption of appropriate bylaws and constitutional amendments.

SEC. 4. *Manner of review.*—Any resolution or ordinance which by the terms of this constitution is subject to review by the Secretary of the Interior shall be presented to the superintendent of the jurisdiction who shall, within 10 days thereafter, approve or disapprove the same.

If the superintendent shall approve any ordinance or resolution, it shall thereupon become effective, but the superintendent shall transmit a copy of the same, bearing his endorsement, to the Secretary of the Interior, who may within 90 days from the date of enactment, rescind the said ordinance or resolution for any cause, by notifying the general business council of such decision.

If the superintendent shall refuse to approve any ordinance or resolution submitted to him, within 10 days after its enactment, he shall advise the council of his reasons therefor. If these reasons appear to the council insufficient, it may, by a majority vote, refer the ordinance or resolution to the Secretary of the Interior, who may, within 90 days from the date of its enactment, approve the same in writing, whereupon the said ordinance or resolution shall become effective.

ARTICLE V—AMENDMENTS

This constitution and bylaws may be amended by the majority vote of the qualified voters of the tribe at an election called for that purpose by the Secretary of the Interior, providing that at least 30 percent of those entitled to vote, shall vote in such election but no amendment shall become effective until it shall have been approved by the Secretary of the Interior.

It shall be the duty of the Secretary of the Interior to call an election on any proposed amendment upon receipt of a petition signed by one-third of the qualified voters, members of the tribe.

BYLAWS OF THE FLANDREAU SANTEE SIOUX TRIBE OF SOUTH DAKOTA

ARTICLE I.—DUTIES OF OFFICERS

SECTION 1. *President.*—It shall be the duty of the president to preside at all meetings of the general business council and of the executive committee, and at all tribal elections, and to sign all com-

missions, licenses, and permits granted by order of the executive committee and all orders drawn on the treasurer by order of the executive committee for the disbursement of money. He shall maintain peace and good order, and see that the ordinances, rules, and regulations of the tribe are faithfully executed and observed, and perform such other duties as shall be required of him from time to time by the executive committee or the general business council in carrying out the provisions of this constitution and bylaws. He shall vote only in the case of a tie.

SEC. 2. *Vice president.*—The vice president shall assist the president when called upon to do so and in the absence of the president he shall preside. When so presiding, he shall have all the rights, privileges, and duties as well as the responsibilities of the president.

SEC. 3. *Secretary of the council.*—It shall be the duty of the secretary to keep an accurate account of all the actions of the executive committee and the general business council, especially of the passing of all the bylaws, ordinances, rules, regulations, and resolutions, and also a faithful record of all the votes and actions of the members of said tribe at their regular and other council meetings, and to keep on file all papers which may be ordered by the executive committee or the general business council. The records kept by the secretary shall be evidence in all legal proceedings, and copies of all papers duly filed in his office, and transcripts from his records as such secretary, duly certified by him, shall be evidence in all of the contents of the same. He shall keep a full and accurate account of all orders drawn on the treasurer in a book provided for that purpose, and shall keep a record of all accounts of the tribe with individuals, and shall keep an account with the treasurer and charge him with all moneys paid into the treasury; and all receipts of the payment of moneys or property to the treasurer shall be countersigned by the secretary. The secretary shall also act as secretary in all regular and special elections and meetings of the members of the tribe. The secretary shall also have power to administer oaths; and before he shall enter upon the duties of his office, he shall execute to the tribe a bond, in such sum as the general business council shall direct, with sureties to be approved by the council, conditioned for the faithful performance of all the duties of his office, which bond, after being so approved, shall be filed with the treasurer of the council. It shall be his duty to submit promptly to the superintendent of the jurisdiction and the Commissioner of Indian Affairs copies of all minutes of regular and special meetings of the general business council.

SEC. 4. *Treasurer of council.*—The treasurer of the council shall perform such duties and exercise such powers as may be lawfully required of him by ordinance, rules, regulations, or bylaws of the tribe. All money raised, received, recovered, and collected by means of loans, fines, forfeiture, or otherwise under this constitution and bylaws or which belong to the tribe shall be paid to and received by him, and shall not be paid out or drawn therefrom, except upon a printed or written order signed by the president and countersigned by the secretary, by order of the executive committee. Such order shall specify the amount of money to be drawn, to whom payable, and its object. He shall keep a just and accurate account of all moneys and other things coming into his hands as such treasurer in a book to be provided by the executive committee for that purpose,

which book shall remain the property of the tribe. In this book he shall note the time when, the person from whom, the amount of the several sums received, and the sources from which the said sums arose also the several sums paid out by him, to whom paid, and the objects for which it was so paid, which book at all reasonable hours shall be open to the inspection of the electors of the tribe, and authorized agents of the Department of the Interior. He shall, as often as the executive committee or general business council shall require, render the committee or council a minute account of his receipts and payments, and if required exhibit his vouchers therefor, and at the expiration of his term of office he shall pay over and deliver to his successor all moneys, books, vouchers, and other property or things in his possession belonging to the tribe. Before he enters upon the duties of his office he shall execute to the tribe a bond in such sum as the general business council shall determine, with sureties to be approved by the council and the Commissioner of Indian Affairs, conditioned for the faithful performance of all the duties of his office, which bond, after being so approved, shall be filed with the secretary of the council.

SEC. 5. *Trustees.*—It shall be the duty of the two trustees to serve on the executive committee.

SEC. 6. *Executive committee.*—It shall be the duty of the executive committee, consisting of the president, vice president, secretary, and treasurer of the general business council, and the two trustees, to act on behalf of the general business council at such times as the council is not in session and to have charge of all routine matters which shall arise during such recess, including the administration of ordinances concerning land under this constitution, and such other matters as may be delegated to it by the general business council.

It shall name the time and places of its meetings, and it shall determine the rules of its proceedings, and keep a journal thereof, which shall be open to members of the tribe at reasonable hours, and have power to preserve order and enforce regulations for its government, as are not inconsistent with this constitution and bylaws, and shall have power to compel the attendance of its members.

The committee shall make a report at each regular and special session of the council.

SEC. 7. *Appointive officers.*—The duties of all appointive boards or officers of the tribe shall be clearly defined by resolutions of the executive committee at the time of their creation or appointment. Such boards and officers shall report, from time to time as required, to the executive committee, and their activities and decisions shall be subject to review by the general business council upon the petition of any person aggrieved.

SEC. 8. Every officer elected or appointed under this constitution and bylaws before he enters upon the duties of his office, and within 10 days after his election or appointment, shall take and subscribe to an oath before some proper officer and file the same with the secretary in the following form, viz: "I _____ do solemnly swear that I will support the Constitution and the laws of the United States and the constitution and bylaws of this tribe; that I will faithfully discharge the duties of the office of _____ to the best of my ability; so help me God."

ARTICLE II.—RATIFICATION OF CONSTITUTION AND BYLAWS

This constitution and bylaws when adopted by a majority vote of the voters of the Flandreau Santee Sioux Tribe voting at a special election called by the Secretary of the Interior, in which at least 30 percent of those entitled to vote shall vote, shall be submitted to the Secretary of the Interior for his approval, and shall be in force from the date of such approval.

CERTIFICATION OF ADOPTION

Pursuant to an order, approved March 13, 1936, by the Secretary of the Interior, the attached constitution and bylaws was submitted for ratification to the members of the Flandreau Santee Sioux Tribe and was on April 4, 1936, duly accepted by a vote of 83 for and 6 against, in an election in which over 30 percent of those entitled to vote cast their ballots, in accordance with section 16 of the Indian Reorganization Act of June 18, 1934 (48 Stat. 984), as amended by the act of June 15, 1935 (49 Stat. 376).

GEORGE EASTMAN, SR.,
Chairman of Election Board.
GEORGE EASTMAN, SR.,
Chairman of the Tribal Council.
GEORGE EASTMAN, JR.,
Secretary.

BYRON J. BROPHY,
Superintendent.

I, Harold L. Ickes, the Secretary of the Interior of the United States of America, by virtue of the authority granted me by the act of June 18, 1934 (48 Stat. 984), as amended, do hereby approve the attached constitution and bylaws of the Flandreau Santee Sioux Tribe.

All rules and regulations heretofore promulgated by the Interior Department or by the Office of Indian Affairs, so far as they may be incompatible with any of the provisions of the said constitution and bylaws are hereby declared inapplicable of the Flandreau Santee Sioux Tribe.

All officers and employees of the Interior Department are ordered to abide by the provisions of the said constitution and bylaws.

Approval recommended April 20, 1936.

JOHN COLLIER,
Commissioner of Indian Affairs.

HAROLD L. ICKES,
Secretary of the Interior.
[SEAL]

WASHINGTON, D. C., *April 24, 1936.*

○

Tribal Government Services

NOV 16 1984

Through: Superintendent, Winnebago Agency

Ms. Carolyn Sorensen, President
Flandreau Santee Sioux Executive Committee
Flandreau, South Dakota 57028

Dear Ms. Sorensen:

We have reviewed the results of the election held on October 12, 1984 by the qualified voters of the Flandreau Santee Sioux Tribe. The election was called in accordance with the Area Director's authorization dated June 22, 1984, pursuant to the authority delegated to the Area Directors, 10 BIAM 3.1, to permit the qualified voters of the Tribe to vote on the adoption or rejection of proposed amendments to the Constitution of the Flandreau Santee Sioux Tribe.

As evidenced by the Certification of Results of Election signed by the election board, proposed Amendments A, C, D and E were duly adopted by the voters. Proposed Amendment B was not adopted.

Amendments A, C, D and E to the Constitution and By-laws of the Flandreau Santee Sioux Tribe are hereby approved effective November 14, 1984. Proposed Amendment B is hereby disapproved in compliance with the voters' rejection. The appropriate roman numerals have been assigned to the amendments.

The amendments as approved are hereby returned. The Agency should retain the originals for safekeeping and provide copies to the Executive Committee for their records.

You are to be commended for initiating a long standing need to update your Constitution and for exercising your authorities as entrusted in you by the members of the Flandreau Santee Sioux Tribe.

Sincerely,

Acting Area Director

Enclosures

cc: Superintendent, Winnebago Agency, w/originals
Deputy Assistant Secretary - Indian Affairs (Operations)
Attention: Tribal Government Services, Code 440, w/copy of amendments
Field Solicitor, w/copy of amendments

AMENDMENT
CONSTITUTION AND BYLAWS
OF THE
FLANDREAU SANTEE SIOUX TRIBE

AMENDMENT I

Section F of Article VIII, Powers of the Executive Committee, shall be amended to read as follows:

(f) To promulgate and enforce ordinances which shall be subject to review by the Secretary of the Interior, governing and regulating the conduct of members of the Flandreau Santee Sioux Tribe on the reservation, providing for the manner of making, holding and revoking assignments of tribal land or interests therein, assessment of members and the appropriation of available funds for public purposes, providing for the assessment, licensing and regulating of non-members coming upon the territory of the Tribe for purposes of hunting, fishing, trading or other business and for the exclusion from the territory of the Tribe of persons not so licensed and establishing proper agencies for law enforcement among the members of the Flandreau Santee Sioux Tribe.

CERTIFICATE OF RESULTS OF ELECTION

Pursuant to a Secretarial election authorized by the Area Director, Aberdeen Area office, on June 22,1984, the attached Constitution and Bylaws Amendment A of the Flandreau Santee Sioux Tribe was submitted to the qualified voters of the Tribe and on Otober 12, 1984, was duly adopted by vote of 28 for, and 7 against and 6 cast ballots found spoiled or mutiliated in an election in which at least 30 percent of the 85 members entitled to vote, cast their ballot in accordance with Article IX of the Tribe's Constitution and Bylaws and Section 16, of the Indian Reorganization Act of June 18, 1934 (48 Stat. 984), as amended by the Act of June 15, 1935 (49) Stat. 378).

Joe Christie
Joe Christie
Chairman, Election Board

Agnes Ross
Agnes Ross
Member, Election Board

Fannie Armstrong
Fannie Armstrong
Member, Election Board

APPROVAL

I, Jerry L. Jaeger, Area Director of the Aberdeen Area Office, Bureau of Indian Affairs, by virture of the authority granted to the Secretary of the Interior by Article IX of the amended Constitution of the Flandreau Santee Sioux Tribe, and redelegated to me by 10 BIAM 3.1, hereby approve the attached Amendment A which amends Article VIII of the Constitution of the Flandreau Santee Sioux Tribe to be effective on the date of this approval.

Jerry L. Jaeger
Area Director

Date: 11/14/84
Aberdeen Area Office
Aberdeen, S.D.

AMENDMENT
CONSTITUTION AND BYLAWS
OF THE
FLANDREAU SANTEE SIOUX TRIBE

AMENDMENT II

Article VIII, Powers of the Executive Committee, shall be amended to include the following section:

(j) To levy taxes or licensing fees, subject to review by the Secretary of the Interior, upon non-members doing business within the territory of the Flandreau Santee Sioux Tribe.

CERTIFICATE OF RESULTS OF ELECTION

Pursuant to a Secretarial election authorized by the Area Director, Aberdeen Area office, on June 22,1984, the attached Constitution and Bylaws Amendment C of the Flandreau Santee Sioux Tribe was submitted to the qualified voters of the Tribe and on Otober 12, 1984, was duly adopted by vote of 30 for, and 5 against and 6 cast ballots found spoiled or mutiliated in an election in which at least 30 percent of the 85 members entitled to vote, cast their ballot in accordance with Article IX of the Tribe's Constitution and Bylaws and Section 16, of the Indian Reorganization Act of June 18, 1934 (48 Stat. 984), as amended by the Act of June 15, 1935 (49) Stat. 378).

Joe Christie
Chairman, Election Board

Agnes Ross
Member, Election Board

Fannie Armstrong
Member, Election Board

RECEIVED
NOV 5 1984

APPROVAL

I, Jerry L. Jaeger, Area Director of the Aberdeen Area Office, Bureau of Indian Affairs, by virture of the authority granted to the Secretary of the Interior by Article IX of the amended Constitution of the Flandreau Santee Sioux Tribe, and redelegated to me by 10 BIAM 3.1, hereby approve the attached Amendment C which amends Article VIII of the Constitution of the Flandreau Santee Sioux Tribe to be effective on the date of this approval.

Jerry L. Jaeger
Area Director

Date: 11/14/84
Aberdeen Area Office
Aberdeen, S.D.

AMENDMENT
CONSTITUTION AND BYLAWS
OF THE
FLANDREAU SANTEE SIOUX TRIBE

AMENDMENT III

Article III, Governing Body, and Article V, Elections, shall be amended as follows:

Article III - Governing Body

Section 1. The Executive Committee shall consist of a President, Vice-President, Secretary, Treasurer (to be appointed by the Executive Committee and is a nonvoting position), Trustee I and Trustee II. A quorum of the Executive Committee shall consist of three (3) members. The President will vote only in case of a tie.

Section 2. All enrolled members of the Flandreau Santee Sioux Tribe eighteen (18) years of age or over and resident of Moody County for at least ninety (90) days prior to the date of an election shall be qualified voters. Residence for the purposes of this Constitution shall mean physical presence within Moody County or such territory as may be now held or hereafter acquired by the Tribe provided that temporary absence for purpose of employment, Government employment or military service, illness or physical disability shall be considered as physical presence.

Section 3. The Executive Committe shall appoint such other boards or officers as may be deemed necessary.

Section 4. The term of office for all Executive Committee members will be four (4) years. The terms shall be staggered. In order to begin staggered elections, the Vice-President and Trustee II will be elected for two (2) years at the first election held after this amendment is adopted. Subsequent elections will be held for four year terms.

Section 5. Executive Committee members may be compensated for services rendered. Salaries will be established by the Executive Committee according to monies available from tribal resources and subject to General Council review.

(cont.)

AMENDMENT
CONSTITUTION AND BYLAWS
OF THE
FLANDREAU SANTEE SIOUX TRIBE

ARTICLE V - ELECTIONS

Section 1. Those officers of the Executive Committee whose term of office will expire shall be elected by the General Council at its August meeting of each even-numbered year. The officers holding office after the effective date of this amendment shall continue in office until the next August meeting of the General Council on an even-numbered year in which an election shall be held pursuant to Article III, Section 4.

Section 2. Nominations of candidates for those committee members whose term of office has expired shall be made from the floor at the August meeting of even-numbered years or by the presentation of a nominating petition for a specific office signed by at least five (5) qualified voters to the Secretary/Treasurer either prior to or at the election meeting. Secret ballots shall be cast on all candidates for each office in a first ballot. The two candidates receiving the highest number of votes in the first ballot for each office shall then stand for election. The candidate receiving the highest number of secret ballot votes in the second balloting shall be elected.

Section 3. To be nominated for office, a member must be at least twenty-one (21) years of age or over, a resident of Moody County or such territory as may be now held or hereafter acquired by the Tribe, not been convicted of a felony or crime involving moral turpitude and not been dishonorably discharged from the military service. The Executive Committee shall be the sole judge of the qualifications of its candidates for office and of officers. The Executive Committee may prescribe such other rules for election as may be required to assure a fair and honest election.

CERTIFICATE OF RESULTS OF ELECTION

Pursuant to a Secretarial election authorized by the Area Director, Aberdeen Area office, on June 22,1984, the attached Constitution and Bylaws Amendment D of the Flandreau Santee Sioux Tribe was submitted to the qualified voters of the Tribe and on Otober 12, 1984, was duly adopted by vote of 28 for, and 8 against and 6 cast ballots found spoiled or mutiliated in an election in which at least 30 percent of the 85 members entitled to vote, cast their ballot in accordance with Article IX of the Tribe's Constitution and Bylaws and Section 16, of the Indian Reorganization Act of June 18, 1934 (48 Stat. 984), as amended by the Act of June 15, 1935 (49) Stat. 378).

Joe Christie
Chairman, Election Board

Agnes Ross
Member, Election Board

Fannie Armstrong
Member, Election Board

RECEIVED
NOV

APPROVAL

I, Jerry L. Jaeger, Area Director of the Aberdeen Area Office, Bureau of Indian Affairs, by virture of the authority granted to the Secretary of the Interior by Article IX of the amended Constitution of the Flandreau Santee Sioux Tribe, and redelegated to me by 10 BIAM 3.1, hereby approve the attached Amendment D which deletes Article III and amends Article V of the Constitution of the Flandreau Santee Sioux Tribe to be effective on the date of this approval.

Jerry L. Jaeger
Area Director

Date: 11/14/84
Aberdeen Area Office
Aberdeen, S.D.

AMENDMENT
CONSTITUTION AND BYLAWS
OF THE
FLANDREAU SANTEE SIOUX TRIBE

AMENDMENT IV

Article IX, Amendments, shall be amended to read as follows:

> The Constitution and By-Laws may be amended by the majority vote of the enrolled members of the Tribe Eighteen (18) years of age or older at an election called for that purpose by the Secretary of the Interior, provided that at least thirty percent (30%) of those entitled to vote, shall vote in such election but no amendment shall become effective until it shall have been approved by the Secretary of the Interior.
>
> It shall be the duty of the Secretary of the Interior to call an election on any proposed amendment upon receipt of an resolution of the Executive Committee or of an petition signed by fifty percent (50%) of the qualified voters of the Tribe.

CERTIFICATE OF RESULTS OF ELECTION

Pursuant to a Secretarial election authorized by the Area Director, Aberdeen Area office, on June 22,1984, the attached Constitution and Bylaws Amendment E of the Flandreau Santee Sioux Tribe was submitted to the qualified voters of the Tribe and on Otober 12, 1984, was duly adopted by vote of 26 for, and 6 against and 9 cast ballots found spoiled or mutiliated in an election in which at least 30 percent of the 85 members entitled to vote, cast their ballot in accordance with Article IX of the Tribe's Constitution and Bylaws and Section 16, of the Indian Reorganization Act of June 18, 1934 (48 Stat. 984), as amended by the Act of June 15, 1935 (49) Stat. 378).

Joe Christie
Chairman, Election Board

Agnes Ross
Member, Election Board

Fannie Armstrong
Member, Election Board

NOV

APPROVAL

I, Jerry L. Jaeger, Area Director of the Aberdeen Area Office, Bureau of Indian Affairs, by virture of the authority granted to the Secretary of the Interior by Article IX of the amended Constitution of the Flandreau Santee Sioux Tribe, and redelegated to me by 10 BIAM 3.1, hereby approve the attached Amendment E which amends Article IX of the Constitution of the Flandreau Santee Sioux Tribe to be effective on the date of this approval.

Jerry L. Jaeger
Area Director

Date: 11/14/84
Aberdeen Area Office
Aberdeen, S.D.

DISAPPROVAL

I, Jerry L. Jaeger, Area Director of the Aberdeen Area Office, Bureau of Indian Affairs, by virture of the authority granted to the Secretary of the Interior by Article IX of the amended Constitution of the Flandreau Santee Sioux Tribe, and redelegated to me by 10 BIAM 3.1, hereby disapprove the attached proposed Amendment B which would have amended Article VIII of the Constitution of the Flandreau Santee Sioux Tribe to be effective on the date of this approval.

Jerry L. Jaeger
Area Director

Date: 11/14/84
Aberdeen Area Office
Aberdeen, S.D.

CERTIFICATE OF RESULTS OF ELECTION

Pursuant to a Secretarial election authorized by the Area Director, Aberdeen Area office, on June 22,1984, the attached Constitution and Bylaws Amendment B of the Flandreau Santee Sioux Tribe was submitted to the qualified voters of the Tribe and on October 12,1984, was duly rejected by vote of 15 for , and 20 against and 6 cast ballots found spoiled or mutiliated in an election in which at least 30 percent of the 85 members entitled to vote, cast their ballot in accordance with Article IX of the Tribe's Constitution and Bylaws and Section 16, of the Indian Reorganization Act of June 15, 1935 (49) Stat. 378.

Joe Christie
Chairman, Election Board

Agnes Ross
Member, Election Board

Fannie Armstrong
Member, Election Board

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Aberdeen Area Office
TRIBAL GOVERNMENT
SERVICES

OFFICIAL BALLOT

FLANDREAU SANTEE SIOUX TRIBE OF SOUTH DAKOTA

PROPOSED CONSTITUTIONAL AMENDMENT

Oct 12, 1984

AMENDMENT B

Amend Article VIII, Powers of the Executive Committee to include the following paragraph:

(1) "To levy taxes upon members of the Flandreau Santee Sioux Tribe, subject to review by the Secretary of the Interior."

Vote for or against the above amendment to the Constitution by placing an (X) or checkmark (✓) in the appropriate box.

☐ YES, I vote in favor of Amendment B

☐ NO, I vote against Amendment B.

REVISED
CONSTITUTION AND BYLAWS
for the
FLANDREAU SANTEE SIOUX TRIBE
OF SOUTH DAKOTA

PREAMBLE

We, the people of the Flandreau Santee Sioux Tribe, in order to exercise the right of local self-government, promote the general welfare of the tribe and manage the lands, do hereby establish this revised constitution and bylaws.

ARTICLE I - TERRITORY

The jurisdiction of the Flandreau Santee Sioux Tribe of Indians shall extend to such territory as may be now held or hereafter acquired by or for the Flandreau Santee Sioux Tribe under any law of the United States, except as otherwise provided by law.

ARTICLE II - MEMBERSHIP

Section 1. Membership in the Flandreau Santee Sioux Tribe of Indians shall consist of all persons who qualify for membership in accordance with the following provisions and an enrollment ordinance to be enacted by the executive committee:

(a) All persons of Indian blood whose names appear on the official census roll of the tribe as of June 30, 1934, and the January 1, 1935, supplement.

(b) All children born prior to the effective date of this amendment to any member of the Flandreau Santee Sioux Tribe who was a resident of any territory of the tribe or of Moody County in South Dakota at the time of the birth of said children.

(c) All children born to any member of the Flandreau Santee Sioux Tribe provided the child possesses one-quarter (1/4) or more degree of Flandreau Santee Sioux blood.

Sec. 2. The executive committee shall have the power to promulgate ordinances subject to review by the Secretary of the Interior covering future membership and the adoption of new members.

ARTICLE III - GOVERNING BODY

Section 1. The governing body of the Flandreau Santee Sioux Tribe shall be an executive committee which shall consist of a president, a vice president, a secretary-treasurer and two trustees who shall serve two-year terms of office and until their successors are elected. A quorum of the executive committee shall consist of three members. The president shall vote only in the case of a tie.

Sec. 2. All enrolled members of the Flandreau Santee Sioux Tribe ~~twenty-one~~ eighteen (21) years of age or over and resident in Moody County for at least ninety (90) days prior to the date of an election shall be qualified voters. Residence for the purposes of this constitution shall mean physical presence within Moody County or such territory as may be now held or hereafter acquired by the tribe provided that temporary absence for purpose of employment, Government employment or military service, illness or physical disability shall be considered as physical presence.

Sec. 3. The executive committee shall appoint such other boards or officers as may be deemed necessary.

Sec 4

Sec. 5

ARTICLE IV - MEETINGS

Section 1. Meetings of the general council shall be held on the first Saturday of February and August of each year or on such other dates as may be selected by the executive committee provided that at least fifteen (15) days notice is given.

Sec. 2. Regular meetings of the executive committee shall be held at least once each month on dates established by the executive committee or called by the president. Such meetings shall be open to tribal members except that executive sessions may be held.

Sec. 3. Special meetings of the general council may be called by the president or upon presentation of a petition signed by at least thirty (30) percent of the qualified voters to the secretary-treasurer who shall select a meeting date and give at least fifteen (15) days notice of any special meeting. The notice shall specify the purpose, time and place of any special meeting.

Sec. 4. A quorum for all regular or special meetings of the general council shall consist of fifty (50) percent of the qualified voters.

ARTICLE V - ELECTIONS

Amended 10-12-84

Section 1. Officers of the executive committee shall be elected by the general council at its August meeting of each even-numbered year. The officers holding office when this constitution becomes effective shall continue in office until the next August meeting of the general council on an even-numbered year.

Amended 10-12-84

Sec. 2. Nominations of candidates for office shall be made from the floor at the August meeting of even-numbered years or by the presentation of a nominating petition for a specific office signed by at least five (5) qualified voters to the secretary-treasurer either prior to or at the election meeting. Secret ballots shall be cast on all candidates for each office in a first ballot. The two candidates receiving the highest number of votes in the first ballot for each office shall then stand for election. The candidate receiving the highest number of secret ballot votes in the second balloting shall be elected.

Sec. 3. To be nominated for office, a member must be at least twenty-one (21) years of age or over, a resident of Moody County or such territory as may be now held or hereafter acquired by the tribe, not been convicted of a felony or crime involving moral turpitude and not been dishonorably discharged from the military service. The executive committee shall be the sole judge of the qualifications of its candidates for office and of officers. The executive committee may prescribe such other rules for election as may be required to assure a fair and honest election.

ARTICLE VI - VACANCIES AND REMOVAL FROM OFFICE

Section 1. If a member of the executive committee shall die, resign, or be absent from regularly scheduled general council or executive committee meetings for three successive meetings without reasonable justification, the executive committee shall declare the position vacant and shall immediately thereafter appoint a person qualified to hold office to serve the unexpired term.

Sec. 2. An elected official shall be removed from office by the executive committee upon investigation and receipt of substantive evidence of conviction of a felony, or of a crime involving moral turpitude. An elected official may also be removed from office for cause such as malfeasance in

office at any regular or special meeting of the general council provided that a petition for removal setting forth the charges against the official and signed by not less than thirty (30) percent of the qualified voters shall be presented to the secretary-treasurer or the president if the affected official is the secretary-treasurer.

Upon receipt of such properly executed petition, the secretary-treasurer or president as appropriate shall call and give at least fifteen (15) days notice of a meeting of the general council. The accused official shall be provided with a written specification of charges at least ten (10) days prior to the meeting. The charges and any written reply to the charges by the accused official shall be read at the meeting and a secret ballot vote taken on removal. If the vote is in favor of removal, the vacancy thereby created shall be filled by an election at such meeting by secret ballot to fill the unexpired term of office of the removed officer.

ARTICLE VII - INITIATIVE AND REFERENDUM

Section 1. Special meetings of the general council shall be called by the secretary-treasurer upon presentation of a petition setting forth that such a meeting is being requested for the purpose of voting upon either a matter not previously considered by the executive committee or upon any matter or previous action of the executive committee. Such petitions shall explain the matter or issue to be voted upon and shall be signed by not less than thirty (30) percent of the qualified voters. The secretary-treasurer shall call and give at least fifteen (15) days notice of such meeting specifying the purpose of the meeting in the notice.

ARTICLE VIII - POWERS OF THE EXECUTIVE COMMITTEE

Section 1. Enumerated Powers. The executive committee of the Flandreau Santee Sioux Tribe shall exercise the following powers subject to any limitations imposed by the statutes or the Constitution of the United States:

(a) To negotiate with the Federal, State and local government.

(b) To employ legal counsel, the choice of counsel and fixing of fees to be subject to the approval of the Secretary of the Interior or his authorized representative.

(c) To veto any sale, disposition, lease or encumbrance of tribal lands, interests in lands or other tribal assets of the tribe.

(d) To advise the Secretary of the Interior with regard to all appropriation estimates or Federal projects for the benefit of the Flandreau Santee Sioux Tribe prior to the submission of such estimates to the Bureau of the Budget and to Congress.

(e) To acquire, lease or otherwise manage all lands or other assets, either real or personal for the benefit of the tribe as authorized by law except that where such lands or assets are under the jurisdiction of the Federal Government, the approval of the Secretary of the Interior or his authorized representative shall be obtained.

Amended 10-12-84 Approved 11-14-84

(f) To promulate and enforce ordinances, which shall be subject to review by the Secretary of the Interior providing for the manner of making, holding, and revoking assignments of tribal land or interests therein, assessment of members and the appropriation of available funds for public purposes, providing for the assessment of fees to nonmembers for the use of tribal lands for purposes of hunting, trading or other business and for the exclusion of such nonmembers from the lands of the tribe.

(g) To charter subordinate organizations for economic purposes and to delegate to such organizations, or to any subordinate boards or officials of the tribe, any of the foregoing powers, reserving the right to review any action taken by virtue of such delegated powers.

(h) To adopt resolutions consistent with this constitution and bylaws, regulating the procedure of the executive committee itself and of other tribal agencies, tribal officials or tribal organizations of the Flandreau Santee Sioux Tribe.

Sec. 2. Future Powers. The executive committee may exercise such further powers as may in the future be delegated to it by the general council of the tribe or by the Secretary of the Interior or any other duly authorized official or agency of the State or Federal Government.

Sec. 3. Reserved Powers. Any rights and powers heretofore vested in the Flandreau Santee Sioux Tribe but not expressly referred to in this constitution shall not be abridged by this article, but may be exercised by the people of the Flandreau Santee Sioux Tribe through the adoption of appropriate bylaws and constitutional amendments.

Amended 11-12-84 Approved 11-14-84

(i) To levy taxes or licensing fees, subject to review by the Secretary of the Interior, upon non-members doing business within the territory of the Flandreau Santee Sioux Tribe

Sec. 4. Manner of Review. Any resolution or ordinance which by the terms of this constitution is subject to review by the Secretary of the Interior shall be presented to the Superintendent of the jurisdiction who shall, within ten (10) days following his receipt, approve or disapprove the same.

If the Superintendent shall approve any ordinance or resolution, it shall thereupon become effective, but the Superintendent shall transmit a copy of the same, bearing his endorsement, to the Secretary of the Interior, who may, within ninety (90) days from the date of his receipt, rescind the said ordinance or resolution for any cause, by notifying the executive committee of such decision.

If the Superintendent shall refuse to approve any ordinance or resolution submitted to him, within ten (10) days after his receipt, he shall advise the executive committee of his reasons therefor. If these reasons appear to the executive committee insufficient, it may, by a majority vote, refer the ordinance or resolution to the Secretary of the Interior or his duly authorized representative, who may, within ninety (90) days of his receipt, approve the same in writing, whereupon the said ordinance or resolution shall become effective.

ARTICLE IX - AMENDMENTS

Amended 10-12-84

The constitution and bylaws may be amended by the majority vote of the enrolled members of the tribe ~~twenty-one~~ eighteen (~~21~~ 18) years of age or older at an election called for that purpose by the Secretary of the Interior, provided that at least thirty (30) percent of those entitled to vote, shall vote in such election but no amendment shall become effective until it shall have been approved by the Secretary of the Interior.

It shall be the duty of the Secretary of the Interior to call an election on any proposed amendment upon receipt of a resolution of the executive committee or of a petition signed by fifty (50) percent of the qualified voters of the tribe.

BYLAWS OF THE FLANDREAU SANTEE SIOUX TRIBE OF SOUTH DAKOTA

ARTICLE I - DUTIES OF OFFICERS

Section 1. President. The president shall preside at all meetings of the general council and the executive committee and shall vote only in the case of a tie vote. He shall execute or certify on behalf of the

tribe all leases, contracts or other documents approved by an authorized body of the tribe. He shall have general supervision of all other officers, employees or committees of the tribe and shall see that their duties are properly performed. When neither the general council nor the executive committee is in session, he shall be the official representative of the tribe. Only in the absence of the secretary-treasurer, the president may receive, deposit or disburse monies. Where funds of the tribe are handled by the president, he shall account for all funds and provide the secretary-treasurer an accounting of such funds and any remaining balance of funds immediately upon his return. The president shall obtain a surety bond, at tribal expense, prior to the handling of any funds.

Sec. 2. Vice President. The vice president, in the absence of the president, shall assume the responsibilities and authority of the president, except for the handling of money. He shall, from time to time, serve on standing committees and shall perform whatever other duties may be assigned by the president.

Sec. 3. Secretary-Treasurer. The secretary-treasurer shall keep the minutes of all meetings of the general council and the executive committee and shall certify the enactment of all resolutions and ordinances. He shall attend to the giving of all notices required by this constitution and shall receive all petitions provided for herein. Copies of all minutes, resolutions, ordinances or other enactments shall be submitted to the Commissioner of Indian Affairs through the local office of the Bureau of Indian Affairs as soon after enactment as possible. He shall establish and maintain current records of all enactments and correspondence. The publication and distribution of minutes and enactments of interest to tribal members shall be authorized within available funds.

The secretary-treasurer shall have care and custody of all valuables of the tribe. He shall carry out the financial directives of the executive committee, submit bills for debts owed the tribe, receive all local monies of the tribe and keep an accurate record of all receipts and disbursements. Funds shall be deposited in a tribal account in a local bank selected by the executive committee where depositors' accounts are insured by the Federal Deposit Insurance Corporation. All disbursements shall be made by check pursuant to resolutions or other authority of the executive committee or the general council. He shall furnish a surety bond, at tribal expense, satisfactory to the executive committee and the Commissioner of Indian Affairs. The secretary-treasurer shall give a financial report of the tribe at all general council and executive committee meetings and all such records shall be available for inspection.

by the executive committee, members of the tribe or representatives of the Commissioner of Indian Affairs. Such records shall be audited no less frequently than once each year by a certified public accountant, financial expert or the Commissioner of Indian Affairs or his authorized representative. The secretary-treasurer may be compensated for services.

Sec. 4. Trustees. The trustees shall assist the executive committee in the execution of its duties and responsibilities.

Sec. 5. Appointive Officers. The duties of all appointive boards or officers of the tribe shall be clearly defined by resolutions of the executive committee at the time of their creation or appointment. Such boards and officers shall report from time to time as required, to the executive committee and their activities and decisions shall be subject to review by the executive committee upon the petition of any person aggrieved.

Sec. 6. Oath of Office. Every elected officer or appointed under this constitution and bylaws before he enters upon the duties of his office, and within 10 days after his election or appointment, shall take and subscribe to an oath before some proper officer and file the same with the secretary-treasurer in the following form, viz: "I, _____, do solemnly swear that I will support the Constitution and the laws of the United States and the constitution and bylaws of this tribe; that I will faithfully discharge the duties of the office of _____ to the best of my ability; so help me God."

ARTICLE II - ADOPTION

This revised constitution and bylaws, when adopted by a majority vote of the voters of the Flandreau Santee Sioux Tribe voting at a special election called by the Secretary of the Interior, in which at least thirty (30) percent of those entitled to vote shall vote, shall be submitted to the Secretary of the Interior for his approval and shall be in force from the date of such approval.

The Revised Constitution and Bylaws was adopted by the tribal voters at an election held on September 16, 1967.

The document was approved by the Assistant Secretary of the Interior on November 15, 1967.

RECEIVED
DEPARTMENT OF INDIAN AFFAIRS
Washington, D.C.

CERTIFICATE OF RESULTS OF ELECTION

Pursuant to an election authorized by the _____ Secretary of the Interior on September 8, 1966, the attached Revised Constitution and Bylaws of the Flandreau Santee Sioux Tribe was submitted to the qualified voters of the tribe and was on September 16, 1967, duly adopted by a vote of 65 for, and 16 against, in an election in which at least 30 percent of the 223 members entitled to vote cast their ballots in accordance with Section 16 of the Indian Reorganization Act of June 18, 1934 (48 Stat. 984), as amended by the Act of June 15, 1935 (49 Stat. 378).

Chairman, Election Board

Richard K. Wakeman
Election Board Member

Reuben Robertson
Election Board Member

Kevin Henninger
Election Board Member

APPROVAL

I, Harry R. Anderson, Assistant, Secretary of the Interior of the United States of America, by virtue of the authority granted to me by the Act of June 18, 1934 (48 Stat. 984), as amended, do hereby approve the attached Revised Constitution and Bylaws for the Flandreau Santee Sioux Tribe of South Dakota.

Approval recommended: NOV 2 1967

(Sgd) T. W. Taylor
Acting Commissioner of Indian Affairs

(Sgd.) Harry R. Anderson
Assistant Secretary of the Interior
(SEAL)

Washington, D. C.

Date: NOV 15 1967

5/19/97
440

United States Department of the Interior

BUREAU OF INDIAN AFFAIRS
Aberdeen Area Office
115 Fourth Avenue S.E.
Aberdeen, South Dakota 57401

IN REPLY REFER TO:
Tribal Government Services
MC-304

MAY 13 1997

Honorable Richard P. Allen
President, Flandreau Santee
Sioux Executive Committee
P.O. Box 283
Flandreau, South Dakota 57028

Dear President Allen:

We received the results of the Secretarial Election held on May 2, 1997, by the qualified voters of the Flandreau Santee Sioux Tribe. The election was called in accordance with the authorization of January 31, 1997, as amended by the authorization on March 21, 1997, under delegated authority in 10 BIAM 3.1 to the Area Directors permitting the qualified voters of the tribe to vote on the adoption or rejection of proposed amendments to the constitution.

As evidenced by the certificate of results of election signed by the election board, proposed Amendments A, B, C, D, F, G, H and J were duly adopted by the qualified voters of the tribe. Proposed Amendments, E and I were rejected.

Proposed Amendments A, B, C, D, F, G, H and J will be changed to Roman Numeral VI through XIII, respectively, for consistency. The amendments with our certificates of approval are enclosed for your records. Please acknowledge receipt of the above mentioned documents on each enclosed extra copy of the certificate of approval and return it to us.

Sincerely,

Area Director

cc: Ms. Jennifer Fyten, P.O. Box 283, Flandreau, South Dakota 57028
Supervisory Contract Specialist, Code 206
Director, Office of Tribal Services
Attention: Chief, Branch of Tribal Government Services
MC-400, MIB, MS-4603
Field Solicitor, Fort Snelling, Minnesota

FLANDREAU SANTEE SIOUX SECRETARIAL ELECTION
CERTIFICATE OF RESULTS OF ELECTION
AMENDMENT A
MAY 2, 1997

Pursuant to a Secretarial election authorized by the Acting Area Director on January 31, 1997, the attached Constitution and Bylaws Amendment A of the Flandreau Santee Sioux Tribe was submitted to the qualified voters of the tribe and on May 2, 1997, was duly (adopted) (~~rejected~~) by 74 for and 59 against and 2 cast ballots found spoiled or mutilated in an election in which at least 30 percent of the 207 members entitled to vote, cast their ballot in accordance with 25 U.S.C. 476.

Paul W. Picotte
Chairman, Election Board

Jennifer Lytton
Member, Election Board

Richard F. Allen
Member, Election Board

DATE: MAY 7

APPROVAL

I, Cora L. Jones, Acting Area Director of the Aberdeen Area Office, Bureau of Indian Affairs, by virtue of the authority granted by 10 BIAM 3.1, hereby approve the attached Amendment VI to the Constitution and Bylaws of the Flandreau Santee Sioux Tribe.

Cora L. Jones
Acting Area Director

Date: 13 May 1997

Aberdeen Area Office
Aberdeen, South Dakota

APPROVAL

I, Cora L. Jones, Acting Area Director of the Aberdeen Area Office, Bureau of Indian Affairs, by virtue of the authority granted by 10 BIAM 3.1, hereby approve the attached Amendment VI to the Constitution and Bylaws of the Flandreau Santee Sioux Tribe.

Cora L. Jones
Acting Area Director

Date: 13 May 1997

Aberdeen Area Office
Aberdeen, South Dakota

I hereby acknowledge that I have received a copy of each Certification of Approval on Amendments

AMENDMENT
CONSTITUTION AND BYLAWS
OF THE
FLANDREAU SANTEE SIOUX TRIBE
SOUTH DAKOTA

AMENDMENT VI

Article III, Section 1 shall be amended as follows:

Section 1. The governing body of the Flandreau Santee Sioux Tribe shall be the Executive Committee. The Executive Committee shall consist of a President, Vice-President, Secretary, Treasurer (to be appointed and is a non-voting position) Trustee I, Trustee II, Trustee III and Trustee IV. (If this amendment passes Trustee III and Trustee IV shall be elected at the next regularly scheduled election. In order to stagger the terms as provided in Article III, Section 4, Trustee III shall serve a four year term and Trustee IV shall serve a two year term. All subsequent terms shall be for four years) A quorum of the Executive Committee shall consist of four (4) members. The President shall vote only in the case of a tie.

FLANDREAU SANTEE SIOUX SECRETARIAL ELECTION
CERTIFICATE OF RESULTS OF ELECTION
AMENDMENT B
MAY 2, 1997

Pursuant to a Secretarial election authorized by the Acting Area Director on January 31, 1997, the attached Constitution and Bylaws Amendment B of the Flandreau Santee Sioux Tribe was submitted to the qualified voters of the tribe and on May 2, 1997, was duly (adopted) (~~rejected~~) by 72 for and 63 against and 0 cast ballots found spoiled or mutilated in an election in which at least 30 percent of the 207 members entitled to vote, cast their ballot in accordance with 25 U.S.C. 476.

Chairman, Election Board

Member, Election Board

Member, Election Board

DATE: MAY 7

APPROVAL

I, Cora L. Jones, Acting Area Director of the Aberdeen Area Office, Bureau of Indian Affairs, by virtue of the authority granted by 10 BIAM 3.1, hereby approve the attached Amendment VII to the Constitution and Bylaws of the Flandreau Santee Sioux Tribe.

Cora L. Jones
Acting Area Director

Date: 13 May 1997

Aberdeen Area Office
Aberdeen, South Dakota

APPROVAL

I, Cora L. Jones, Acting Area Director of the Aberdeen Area Office, Bureau of Indian Affairs, by virtue of the authority granted by 10 BIAM 3.1, hereby approve the attached Amendment VII to the Constitution and Bylaws of the Flandreau Santee Sioux Tribe.

Cora L. Jones
Acting Area Director

Date: 13 May 1997

Aberdeen Area Office
Aberdeen, South Dakota

I hereby acknowledge that I have received a copy of each Certification of Approval on Amendments

AMENDMENT
CONSTITUTION AND BYLAWS
OF THE
FLANDREAU SANTEE SIOUX TRIBE
SOUTH DAKOTA

AMENDMENT VII

Article III, Section 2 shall be amended as follows:

Section 2. All enrolled members of the Flandreau Santee Sioux Tribe eighteen (18) years of age or over and a resident of Moody County for at least one (1) year immediately prior to the date of the election shall be qualified voters. Residence for the purposes of this Constitution shall mean physical presence within Moody County or such territory as may be now held or hereafter acquired by the Tribe provided that temporary absence for purpose of employment, government employment or military services, illness or physical disability shall be considered as physical presence.

FLANDREAU SANTEE SIOUX SECRETARIAL ELECTION
CERTIFICATE OF RESULTS OF ELECTION
AMENDMENT C
MAY 2, 1997

Pursuant to a Secretarial election authorized by the Acting Area Director on January 31, 1997, the attached Constitution and Bylaws Amendment C of the Flandreau Santee Sioux Tribe was submitted to the qualified voters of the tribe and on May 2, 1997, was duly (adopted) (~~rejected~~) by 106 for and 27 against and 2 cast ballots found spoiled or mutilated in an election in which at least 30 percent of the 207 members entitled to vote, cast their ballot in accordance with 25 U.S.C. 476.

Paul W. Picotte
Chairman, Election Board

Jenny Loten
Member, Election Board

Richard R. Allen
Member, Election Board

DATE: MAY 7

APPROVAL

I, Cora L. Jones, Acting Area Director of the Aberdeen Area Office, Bureau of Indian Affairs, by virtue of the authority granted by 10 BIAM 3.1, hereby approve the attached Amendment VIII to the Constitution and Bylaws of the Flandreau Santee Sioux Tribe.

Cora L. Jones
Acting Area Director

Date: 13 May 1997

Aberdeen Area Office
Aberdeen, South Dakota

APPROVAL

I, Cora L. Jones, Acting Area Director of the Aberdeen Area Office, Bureau of Indian Affairs, by virtue of the authority granted by 10 BIAM 3.1, hereby approve the attached Amendment VIII to the Constitution and Bylaws of the Flandreau Santee Sioux Tribe.

Cora L. Jones
Acting Area Director

Date: 13 May 1997

Aberdeen Area Office
Aberdeen, South Dakota

I hereby acknowledge that I have received a copy of each Certification of Approval on Amendments

AMENDMENT
CONSTITUTION AND BYLAWS
OF THE
FLANDREAU SANTEE SIOUX TRIBE
SOUTH DAKOTA

AMENDMENT VIII

Article IV, Section 1 shall be amended as follows:

Section 1. Meetings of the General Council shall be held on the first Saturday of February, May, August and November of each year or on such other dates as may be selected by the Executive Committee provided that at least fifteen (15) days notice is given.

FLANDREAU SANTEE SIOUX SECRETARIAL ELECTION
CERTIFICATE OF RESULTS OF ELECTION
AMENDMENT D
MAY 2, 1997

Pursuant to a Secretarial election authorized by the Acting Area Director on January 31, 1997, the attached Constitution and Bylaws Amendment D of the Flandreau Santee Sioux Tribe was submitted to the qualified voters of the tribe and on May 2, 1997, was duly (adopted) (~~rejected~~) by 107 for and 28 against and 0 cast ballots found spoiled or mutilated in an election in which at least 30 percent of the 207 members entitled to vote, cast their ballot in accordance with 25 U.S.C. 476.

Paul W. Picotte
Chairman, Election Board

Member, Election Board

Member, Election Board

DATE: MAY 7 1997

APPROVAL

I, Cora L. Jones, Acting Area Director of the Aberdeen Area Office, Bureau of Indian Affairs, by virtue of the authority granted by 10 BIAM 3.1, hereby approve the attached Amendment IX to the Constitution and Bylaws of the Flandreau Santee Sioux Tribe.

Cora L. Jones
Acting Area Director

Date: 13 May 1997

Aberdeen Area Office
Aberdeen, South Dakota

APPROVAL

I, Cora L. Jones, Acting Area Director of the Aberdeen Area Office, Bureau of Indian Affairs, by virtue of the authority granted by 10 BIAM 3.1, hereby approve the attached Amendment IX to the Constitution and Bylaws of the Flandreau Santee Sioux Tribe.

Cora L. Jones
Acting Area Director

Date: 13 May 1997

Aberdeen Area Office
Aberdeen, South Dakota

I hereby acknowledge that I have received a copy of each Certification of Approval on Amendments

AMENDMENT
CONSTITUTION AND BYLAWS
OF THE
FLANDREAU SANTEE SIOUX TRIBE
SOUTH DAKOTA

AMENDMENT IX

Article V, Sections 1 and 2 shall be amended as follows:

Section 1. Those officers of the Executive Committee whose term of office will expire shall be subject to re-election by the qualified voters as defined in Article III, Section 2 of the Constitution. Elections shall be conducted in accordance with the procedures prescribed by this Article.

Section 2. There shall be a primary election and a general election for officers of the Executive Committee. The primary election shall be held at least forty-five (45) days prior to the general election and shall be conducted in accordance with the Election Ordinance. Candidates for office, including incumbents, shall be nominated for office by submitting a petition, signed by not less than twenty-five (25) of the qualified voters of the Tribe, to the Election Board. Nominating Petitions shall be submitted to the Election Board at least thirty (30) days prior to the date set for the primary election. Notice by mail shall be provided to the qualified voters at least fifteen days prior to the primary election advising the voters of the names of the candidates for office in the primary election and the date, times and place for voting. The two candidates receiving the highest number of votes for the position they are running for in the primary election shall then stand for election for that position in the general election.

The general election shall be held in conjunction with the August General Council meeting for each election year. Polls shall remain open for a period of four hours. Voting shall be by secret ballot and ballots shall be prepared prior to the election with each candidate's name and position he or she is running for appearing on the ballot. At the close of the

FLANDREAU SANTEE SIOUX SECRETARIAL ELECTION
CERTIFICATE OF RESULTS OF ELECTION
AMENDMENT E
MAY 2, 1997

Pursuant to a Secretarial election authorized by the Acting Area Director on January 31, 1997, the attached Constitution and Bylaws Amendment E of the Flandreau Santee Sioux Tribe was submitted to the qualified voters of the tribe and on May 2, 1997, was duly (~~adopted~~) (rejected) by 36 for and 95 against and 4 cast ballots found spoiled or mutilated in an election in which at least 30 percent of the 207 members entitled to vote, cast their ballot in accordance with 25 U.S.C. 476.

Paul W. Pivotte
Chairman, Election Board

Member, Election Board

Member, Election Board

DATE: MAY 7

DISAPPROVAL

I, Cora L. Jones, Acting Area Director of the Aberdeen Area Office, Bureau of Indian Affairs, by virtue of the authority granted by 10 BIAM 3.1, hereby disapprove the attached proposed Amendment E to the Constitution and Bylaws of the Flandreau Santee Sioux Tribe.

Cora L. Jones
Acting Area Director

Date: 13 May 1997

Aberdeen Area Office
Aberdeen, South Dakota

DISAPPROVAL

I, Cora L. Jones, Acting Area Director of the Aberdeen Area Office, Bureau of Indian Affairs, by virtue of the authority granted by 10 BIAM 3.1, hereby disapprove the attached proposed Amendment E to the Constitution and Bylaws of the Flandreau Santee Sioux Tribe.

Cora L. Jones
Acting Area Director

Date: 13 May 1997

Aberdeen Area Office
Aberdeen, South Dakota

I hereby acknowledge that I have received a copy of each Certification of Approval on Amendments

AMENDMENT
CONSTITUTION AND BYLAWS
OF THE
FLANDREAU SANTEE SIOUX TRIBE
SOUTH DAKOTA

AMENDMENT E

Article V, Section 3 shall be amended as follows:

Section 3. To be nominated for office a member must be at least twenty-one years of age or over, a resident of Moody County as provided in Article III, Section 2 or such territory as may be now held or hereafter acquired by the Tribe, not been convicted of a felony or a crime involving moral turpitude, provided however that this provision shall not apply if the member has been granted a pardon for the conviction by the authority authorized by law to grant a pardon for such conviction, and not been dishonorably discharged from the military service.

FLANDREAU SANTEE SIOUX SECRETARIAL ELECTION
CERTIFICATE OF RESULTS OF ELECTION
AMENDMENT F
MAY 2, 1997

Pursuant to a Secretarial election authorized by the Acting Area Director on January 31, 1997, the attached Constitution and Bylaws Amendment F of the Flandreau Santee Sioux Tribe was submitted to the qualified voters of the tribe and on May 2, 1997, was duly (adopted) (~~rejected~~) by 112 for and 23 against and 0 cast ballots found spoiled or mutilated in an election in which at least 30 percent of the 207 members entitled to vote, cast their ballot in accordance with 25 U.S.C. 476.

Paul W. Bucotte
Chairman, Election Board

Jenny Peters
Member, Election Board

Richard B. Allen
Member, Election Board

DATE: MAY 7

APPROVAL

I, Cora L. Jones, Acting Area Director of the Aberdeen Area Office, Bureau of Indian Affairs, by virtue of the authority granted by 10 BIAM 3.1, hereby approve the attached Amendment X to the Constitution and Bylaws of the Flandreau Santee Sioux Tribe.

Cora L. Jones
Acting Area Director

Date: 13 May 1997

Aberdeen Area Office
Aberdeen, South Dakota

APPROVAL

I, Cora L. Jones, Acting Area Director of the Aberdeen Area Office, Bureau of Indian Affairs, by virtue of the authority granted by 10 BIAM 3.1, hereby approve the attached Amendment X to the Constitution and Bylaws of the Flandreau Santee Sioux Tribe.

Cora L. Jones
Acting Area Director

Date: 13 May 1997

Aberdeen Area Office
Aberdeen, South Dakota

I hereby acknowledge that I have received a copy of each Certification of Approval on Amendments

AMENDMENT
CONSTITUTION AND BYLAWS
OF THE
FLANDREAU SANTEE SIOUX TRIBE
SOUTH DAKOTA

AMENDMENT X

Article V shall be amended by adding a new provision as follows:

Section 4. Any incumbent member of the Executive Committee who chooses to run for a vacant position other than the position currently occupied by that member, must first officially resign his or her current position and such position shall be declared vacant and open for election. Resignation shall take effect after the General Election.

FLANDREAU SANTEE SIOUX SECRETARIAL ELECTION
CERTIFICATE OF RESULTS OF ELECTION
AMENDMENT G
MAY 2, 1997

Pursuant to a Secretarial election authorized by the Acting Area Director on January 31, 1997, the attached Constitution and Bylaws Amendment G of the Flandreau Santee Sioux Tribe was submitted to the qualified voters of the tribe and on May 2, 1997, was duly (adopted) (~~rejected~~) by 83 for and 45 against and 5 cast ballots found spoiled or mutilated in an election in which at least 30 percent of the 207 members entitled to vote, cast their ballot in accordance with 25 U.S.C. 476.

Paul W. Picotte
Chairman, Election Board

Member, Election Board

Richard P. Allen
Member, Election Board

DATE: MAY 7

APPROVAL

I, Cora L. Jones, Acting Area Director of the Aberdeen Area Office, Bureau of Indian Affairs, by virtue of the authority granted by 10 BIAM 3.1, hereby approve the attached Amendment XI to the Constitution and Bylaws of the Flandreau Santee Sioux Tribe.

Cora L. Jones
Acting Area Director

Date: 13 May 1997

Aberdeen Area Office
Aberdeen, South Dakota

APPROVAL

I, Cora L. Jones, Acting Area Director of the Aberdeen Area Office, Bureau of Indian Affairs, by virtue of the authority granted by 10 BIAM 3.1, hereby approve the attached Amendment XI to the Constitution and Bylaws of the Flandreau Santee Sioux Tribe.

Cora L. Jones
Acting Area Director

Date: 13 May 1997

Aberdeen Area Office
Aberdeen, South Dakota

I hereby acknowledge that I have received a copy of each Certification of Approval on Amendments

AMENDMENT
CONSTITUTION AND BYLAWS
OF THE
FLANDREAU SANTEE SIOUX TRIBE
SOUTH DAKOTA

AMENDMENT XI

Article VI, Sections 2 and 3 shall be amended as follows:

Section 2. An elected official shall be removed from office by the Executive Committee upon investigation and receipt of substantive evidence of conviction of a felony or crime involving moral turpitude.

Section 3. An elected official may be removed from office by the General Council by a petition of no confidence signed by at least sixty-five percent of the qualified voters of the Tribe. A petition of no confidence shall not require grounds for removal but shall only require the attestation of each signer that they no longer have confidence in the official as a member of the Executive Committee. The Petition shall be presented to the Secretary or the President if the affected official is the Secretary. Upon receipt of such properly executed petition, the official shall be given the option to resign, and if he or she does not resign the Secretary or President as appropriate shall call and give at least fifteen days notice of a meeting of the General Council. The official shall have the opportunity to respond to the petition at the meeting. The General Council shall then vote upon removal and such removal shall be effective upon majority vote. If the vote is in favor of removal, the vacancy thereby created shall be filled by a special election called by the Election Board and conducted in accordance with the election ordinance.

FLANDREAU SANTEE SIOUX SECRETARIAL ELECTION
CERTIFICATE OF RESULTS OF ELECTION
AMENDMENT H
MAY 2, 1997

Pursuant to a Secretarial election authorized by the Acting Area Director on January 31, 1997, the attached Constitution and Bylaws Amendment H of the Flandreau Santee Sioux Tribe was submitted to the qualified voters of the tribe and on May 2, 1997, was duly (adopted) (~~rejected~~) by 70 for and 63 against and 2 cast ballots found spoiled or mutilated in an election in which at least 30 percent of the 207 members entitled to vote, cast their ballot in accordance with 25 U.S.C. 476.

Paul W. Buotte
Chairman, Election Board

Jenny Foster
Member, Election Board

Richard L. Allen
Member, Election Board

DATE: MAY 7

APPROVAL

I, Cora L. Jones, Acting Area Director of the Aberdeen Area Office, Bureau of Indian Affairs, by virtue of the authority granted by 10 BIAM 3.1, hereby approve the attached Amendment XII to the Constitution and Bylaws of the Flandreau Santee Sioux Tribe.

Cora L. Jones
Acting Area Director

Date: 13 May 1997

Aberdeen Area Office
Aberdeen, South Dakota

APPROVAL

I, Cora L. Jones, Acting Area Director of the Aberdeen Area Office, Bureau of Indian Affairs, by virtue of the authority granted by 10 BIAM 3.1, hereby approve the attached Amendment XII to the Constitution and Bylaws of the Flandreau Santee Sioux Tribe.

Cora L. Jones
Acting Area Director

Date: 13 May 1997

Aberdeen Area Office
Aberdeen, South Dakota

I hereby acknowledge that I have received a copy of each Certification of Approval on Amendments

AMENDMENT
CONSTITUTION AND BYLAWS
OF THE
FLANDREAU SANTEE SIOUX TRIBE
SOUTH DAKOTA

AMENDMENT XII

Article VIII, Section 1 (f) shall be amended as follows:

(f) To promulgate and enforce ordinances governing and regulating the conduct of all persons on the reservation, providing for the manner of making, holding and revoking assignments of tribal land or interest therein, assessment of members and the appropriation of available funds for public purposes, providing for the assessment, licensing and regulating of non-members coming upon the territory of the Tribe for purposes of hunting, fishing, trading or other business and for the exclusion from the territory of the Tribe of persons not so licensed and establishing proper agencies for law enforcement among the members of the Flandreau Santee Sioux Tribe.

FLANDREAU SANTEE SIOUX SECRETARIAL ELECTION
CERTIFICATE OF RESULTS OF ELECTION
AMENDMENT I
MAY 2, 1997

Pursuant to a Secretarial election authorized by the Acting Area Director on January 31, 1997, the attached Constitution and Bylaws Amendment I of the Flandreau Santee Sioux Tribe was submitted to the qualified voters of the tribe and on May 2, 1997, was duly (~~adopted~~) (rejected) by 63 for and 68 against and 4 cast ballots found spoiled or mutilated in an election in which at least 30 percent of the 207 members entitled to vote, cast their ballot in accordance with 25 U.S.C. 476.

Chairman, Election Board

Member, Election Board

Member, Election Board

DATE: _____

DISAPPROVAL

I, Cora L. Jones, Acting Area Director of the Aberdeen Area Office, Bureau of Indian Affairs, by virtue of the authority granted by 10 BIAM 3.1, hereby disapprove the attached proposed Amendment I to the Constitution and Bylaws of the Flandreau Santee Sioux Tribe.

Cora L. Jones
Acting Area Director

Date: 13 May 1997

Aberdeen Area Office
Aberdeen, South Dakota

DISAPPROVAL

I, Cora L. Jones, Acting Area Director of the Aberdeen Area Office, Bureau of Indian Affairs, by virtue of the authority granted by 10 BIAM 3.1, hereby disapprove the attached proposed Amendment I to the Constitution and Bylaws of the Flandreau Santee Sioux Tribe.

(SGD) CORA L. JONES

Acting Area Director

Date: MAY 13 1997

Aberdeen Area Office
Aberdeen, South Dakota

I hereby acknowledge that I have received a copy of each Certification of Approval on Amendments

AMENDMENT
CONSTITUTION AND BYLAWS
OF THE
FLANDREAU SANTEE SIOUX TRIBE
SOUTH DAKOTA

AMENDMENT I

Article VIII, shall be amended by repealing in its entirety Section 4 of Article VIII, which requires Secretarial review of tribal ordinances and resolutions. This amendment shall also eliminate Secretarial review from Article II, Section 2 of the Constitution and any and all other secretarial review of tribal ordinances from the Constitution.

FLANDREAU SANTEE SIOUX SECRETARIAL ELECTION
CERTIFICATE OF RESULTS OF ELECTION
AMENDMENT J
MAY 2, 1997

Pursuant to a Secretarial election authorized by the Acting Area Director on January 31, 1997, the attached Constitution and Bylaws Amendment J of the Flandreau Santee Sioux Tribe was submitted to the qualified voters of the tribe and on May 2, 1997, was duly (adopted) (~~rejected~~) by 99 for and 33 against and 3 cast ballots found spoiled or mutilated in an election in which at least 30 percent of the 207 members entitled to vote, cast their ballot in accordance with 25 U.S.C. 476.

Paul W. Pivotte
Chairman, Election Board

Member, Election Board

Richard R. Allen
Member, Election Board

DATE: May 7

APPROVAL

I, Cora L. Jones, Acting Area Director of the Aberdeen Area Office, Bureau of Indian Affairs, by virtue of the authority granted by 10 BIAM 3.1, hereby approve the attached Amendment XIII to the Constitution and Bylaws of the Flandreau Santee Sioux Tribe.

Cora L. Jones
Acting Area Director

Date: 13 May 1997

Aberdeen Area Office
Aberdeen, South Dakota

APPROVAL

I, Cora L. Jones, Acting Area Director of the Aberdeen Area Office, Bureau of Indian Affairs, by virtue of the authority granted by 10 BIAM 3.1, hereby approve the attached Amendment XIII to the Constitution and Bylaws of the Flandreau Santee Sioux Tribe.

Cora L. Jones
Acting Area Director

Date: 13 May 1997

Aberdeen Area Office
Aberdeen, South Dakota

I hereby acknowledge that I have received a copy of each Certification of Approval on Amendments

AMENDMENT
CONSTITUTION AND BYLAWS
OF THE
FLANDREAU SANTEE SIOUX TRIBE
SOUTH DAKOTA

AMENDMENT XIII

A new Article IX providing for a Judicial branch of government shall be added to read as follows:

ARTICLE IX - JUDICIARY

Section 1. The judicial power of the Flandreau Santee Sioux Tribe shall be vested in the tribal court system. The tribal court system shall be composed of a court of general jurisdiction which shall be known as the "Flandreau Santee Sioux Tribal Court," and the appellate court which shall be known as the "Flandreau Santee Sioux Tribal Appellate Court" and such other and lower courts as the Tribe may establish to meet the judicial needs of the Tribe.

Section 2. The judicial authority and jurisdiction of the tribal courts shall extend to all cases arising under this Constitution, the laws, ordinances, regulations, customs, and traditions of the Flandreau Santee Sioux Tribe and shall be exercised to the fullest extent consistent with the Flandreau Santee Sioux Tribe's inherent powers as a sovereign nation. Such jurisdiction shall extend to all lands within the territorial boundaries of the reservation, including all territory now held or hereafter acquired by or for the Tribe whether held in trust by the United States or owned in fee by the Tribe. The tribal court shall have jurisdiction over all members of the Flandreau Santee Sioux Tribe and over any non-member in accordance with tribal law.

Section 3. There shall be a separation of power between the Tribal Judiciary and the Tribal governing body. Decisions of the tribal court may be appealed to the Tribal Appellate Court but shall not be subject to review by the Executive Committee.

Section 4. There shall be a Chief Judge of the Tribal Court and any other associate judges as may be in the future required. Judges of the court shall be law trained and be a member in good standing of the Tribal Bar Association. Judges shall be appointed by the Executive Committee for a four year term. The Tribal Appellate Court shall be established in accordance with tribal ordinances.

Savings Clause: Old Article IX shall become Article X.